



# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

GRANT NUMBER (FAIN): 00F09901

MODIFICATION NUMBER: 7

PROGRAM CODE: V

TYPE OF ACTION

Revision: Scope &amp; Increase

PAYMENT METHOD:

ASAP

DATE OF AWARD

04/02/2014

MAILING DATE

04/09/2014

ACH#

60656

RECIPIENT TYPE:

Indian Tribe

Send Payment Request to:

Las Vegas Finance Center

RECIPIENT:

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

EIN: 73-0946495

PAYEE:

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

PROJECT MANAGER

Tim L. Kent

P.O. Box 765

Quapaw, OK 74363

E-Mail: timkent@hotmail.com

Phone: 918-542-1853

EPA PROJECT OFFICER

Kathy Gibson

Superfund Division, 6SF-VC

E-Mail: Gibson.Kathy@epamail.epa.gov

Phone: 214-665-7196

EPA GRANT SPECIALIST

Belenthia Epps

Grant Programs Section, 6MD-CG

E-Mail: Epps.Belenthia@epamail.epa.gov

Phone: 214-665-8390

PROJECT TITLE AND EXPLANATION OF CHANGES

Quapaw Tribe of Oklahoma Superfund

This amendment increases funding by \$35,177 for a total of \$590,017.

BUDGET PERIOD

03/01/2010 - 12/30/2014

PROJECT PERIOD

03/01/2010 - 12/30/2014

TOTAL BUDGET PERIOD COST

\$590,017.00

TOTAL PROJECT PERIOD COST

\$590,017.00

## NOTICE OF AWARD

Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$35,177. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$590,017. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

ORGANIZATION / ADDRESS

Grant Programs Section, 6MD-CG  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 6  
Superfund Division  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official Donna Miller - Chief, Grant Programs Section

DATE

04/02/2014

## V-00F09901-7 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 554,840	\$ 35,177	\$ 590,017
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 554,840	\$ 35,177	\$ 590,017

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
OU-4	146APLG010	14	T	6A00P	303DD2	4185	06JWMA04	C004	35,177
									35,177

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$209,554
2. Fringe Benefits	\$54,035
3. Travel	\$12,181
4. Equipment	\$0
5. Supplies	\$3,965
6. Contractual	\$193,735
7. Construction	\$0
8. Other	\$11,687
9. Total Direct Charges	\$485,157
10. Indirect Costs: % Base	\$104,860
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$590,017
12. Total Approved Assistance Amount	\$590,017
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$35,177
15. Total EPA Amount Awarded To Date	\$590,017

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$206,002
2. Fringe Benefits	\$53,133
3. Travel	\$11,975
4. Equipment	\$0
5. Supplies	\$3,898
6. Contractual	\$190,451
7. Construction	\$0
8. Other	\$11,476
9. Total Direct Charges	\$476,935
10. Indirect Costs	\$103,082
11. Total (Share: Recipient % Federal %.)	\$580,017
12. Total Approved Assistance Amount	\$580,017
13. Program Income	\$0

## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient % Federal %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0

### **Administrative Conditions**

#### **46. General Terms and Conditions**

The recipient agrees to comply with the current EPA general terms and conditions available at: [http://www.epa.gov/ogd/tc\\_jan\\_2014.pdf](http://www.epa.gov/ogd/tc_jan_2014.pdf). These terms and conditions are in addition to the assurances and certifications made as part of the award and the terms, conditions or restrictions cited below.

The EPA repository for the general terms and conditions by year can be found at: <http://www.epa.gov/ogd/tc.htm>.

47. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

### **Programmatic Conditions**

48. Pre-award costs are permitted from March 1, 2010 until the actual award of the Cooperative Agreement. OU-4 expenditures are to be charged under accounting code: 06JWMA04 and OU-5 expenditures are to be charged to 06TSMA05. Submissions of narrative programmatic and financial reports are to be submitted to the Region in a timely manner every federal quarter. Reports will be due no later than 30 days after the end of each federal quarter. Narrative and financial information are to be submitted at the same time. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the scope of work involves a jointly supported strong ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution, and escalation of problems to top level managers.

49. Competency of Organizations Generating Environmental Measurement Data. In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement. A copy of the Policy is available online at <http://www.epa.gov/fem/pdfs/competency-policy-aaia-new.pdf> or a copy may also be requested by contacting the EPA project officer for this award..



# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

GRANT NUMBER (FAIN): 00F09901

MODIFICATION NUMBER: 6

PROGRAM CODE: V

DATE OF AWARD

01/10/2014

TYPE OF ACTION

Revision: Scope &amp; Increase

MAILING DATE

01/17/2014

PAYMENT METHOD:

ASAP

ACH#

60656

RECIPIENT TYPE:

Indian Tribe

Send Payment Request to:

Las Vegas Finance Center

RECIPIENT:

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

EIN: 73-0946495

PAYEE:

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

PROJECT MANAGER

Tim L. Kent

P.O. Box 765

Quapaw, OK 74363

E-Mail: timkent@hotmail.com

Phone: 918-542-1853

EPA PROJECT OFFICER

Kathy Gibson

Superfund Division, 6SF-VC

E-Mail: Gibson.Kathy@epamail.epa.gov

Phone: 214-665-7196

EPA GRANT SPECIALIST

Belenthia Epps

Grant Programs Section, 6MD-CG

E-Mail: Epps.Belenthia@epamail.epa.gov

Phone: 214-665-8390

PROJECT TITLE AND EXPLANATION OF CHANGES

Quapaw Tribe of Oklahoma Superfund

This amendment increases funding by \$50,000 for a total of \$554,840.

BUDGET PERIOD

03/01/2010 - 12/30/2014

PROJECT PERIOD

03/01/2010 - 12/30/2014

TOTAL BUDGET PERIOD COST

\$554,840.00

TOTAL PROJECT PERIOD COST

\$554,840.00

## NOTICE OF AWARD

Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$50,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$554,840. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

Grant Programs Section, 6MD-CG  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

ORGANIZATION / ADDRESS

U.S. EPA, Region 6  
Superfund Division  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official Donna Miller - Chief Grant Programs Section

DATE

01/10/2014

V - 00F09901 - 6 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 504,840	\$ 50,000	\$ 554,840
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 504,840	\$ 50,000	\$ 554,840

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
QUAPAW	146APLG004	14	T	6A00P	303DD2	4185	06JWMA04	C004	50,000
									50,000

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$197,080
2. Fringe Benefits	\$50,818
3. Travel	\$11,428
4. Equipment	\$0
5. Supplies	\$3,729
6. Contractual	\$182,175
7. Construction	\$0
8. Other	\$10,992
9. Total Direct Charges	\$456,222
10. Indirect Costs: % Base	\$98,618
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$554,840
12. Total Approved Assistance Amount	\$554,840
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$50,000
15. Total EPA Amount Awarded To Date	\$554,840

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$193,528
2. Fringe Benefits	\$49,916
3. Travel	\$11,222
4. Equipment	\$0
5. Supplies	\$3,662
6. Contractual	\$178,891
7. Construction	\$0
8. Other	\$10,781
9. Total Direct Charges	\$448,000
10. Indirect Costs	\$96,840
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$544,840
12. Total Approved Assistance Amount	\$544,840
13. Program Income	\$0

## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0

### **Administrative Conditions**

43. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

### **Programmatic Conditions**

44. Pre award costs are permitted from March 1, 2010 until the actual award of the Cooperative Agreement. OU-4 expenditures are to be charged under accounting code: 06JWMA04 and OU-5 expenditures are to be charged to 06TSMA05. Submissions of narrative programmatic and financial reports are to be submitted to the Region in a timely manner every federal quarter. Reports will be due no later than 30 days after the end of each federal quarter. Narrative and financial information are to be submitted at the same time. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the scope of work involves a jointly supported strong ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution, and escalation of problems to top level managers.

45. Competency of Organizations Generating Environmental Measurement Data. In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement. A copy of the Policy is available online at <http://www.epa.gov/fem/pdfs/competency-policy-aaia-new.pdf> or a copy may also be requested by contacting the EPA project officer for this award.





# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

GRANT NUMBER (FAIN): 00F09901

MODIFICATION NUMBER: 5

PROGRAM CODE: V

DATE OF AWARD

09/19/2013

TYPE OF ACTION

No Cost Amendment

MAILING DATE

09/19/2013

PAYMENT METHOD:

ASAP

ACH#

60656

RECIPIENT TYPE:

Indian Tribe

Send Payment Request to:

Las Vegas Finance Center

RECIPIENT:

PAYEE:

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

EIN: 73-0946495

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

PROJECT MANAGER

EPA PROJECT OFFICER

EPA GRANT SPECIALIST

Tim L. Kent

P.O. Box 765

Quapaw, OK 74363

E-Mail: timkent@hotmail.com

Phone: 918-542-1853

Kathy Gibson

Superfund Division, 6SF-VC

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Phone: 214-665-7196

Belenthia Epps

Grant Programs Section, 6MD-CG

E-Mail: Epps.Belenthia@epamail.epa.gov

Phone: 214-665-8390

### PROJECT TITLE AND EXPLANATION OF CHANGES

Quapaw Tribe of Oklahoma Superfund #2

This amendment extends the budget/project period through December 31, 2014 at no additional cost to the government.

BUDGET PERIOD

03/01/2010 - 12/31/2014

PROJECT PERIOD

03/01/2010 - 12/31/2014

TOTAL BUDGET PERIOD COST

\$504,840.00

TOTAL PROJECT PERIOD COST

\$504,840.00

## NOTICE OF AWARD

Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$504,840. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

### ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

### AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

Grant Programs Section, 6MD-CG

1445 Ross Avenue, Suite 1200

Dallas, TX 75202-2733

ORGANIZATION / ADDRESS

U.S. EPA, Region 6

Superfund Division

1445 Ross Avenue, Suite 1200

Dallas, TX 75202-2733

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist

DATE

09/19/2013

V - 00F09901 - 5 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 504,840	\$	\$ 504,840
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 504,840	\$ 0	\$ 504,840

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$179,320
2. Fringe Benefits	\$46,237
3. Travel	\$10,398
4. Equipment	\$0
5. Supplies	\$3,393
6. Contractual	\$165,812
7. Construction	\$0
8. Other	\$9,949
9. Total Direct Charges	\$415,109
10. Indirect Costs: % Base	\$89,731
11. Total (Share: Recipient % Federal 100.00 %.)	\$504,840
12. Total Approved Assistance Amount	\$504,840
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$504,840

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$175,768
2. Fringe Benefits	\$45,335
3. Travel	\$10,192
4. Equipment	\$0
5. Supplies	\$3,326
6. Contractual	\$162,528
7. Construction	\$0
8. Other	\$9,738
9. Total Direct Charges	\$406,887
10. Indirect Costs	\$87,953
11. Total (Share: Recipient % Federal %.)	\$494,840
12. Total Approved Assistance Amount	\$494,840
13. Program Income	\$0

## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient % Federal %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0

## **Administrative Conditions**

### **40. CIVIL RIGHTS OBLIGATIONS**

#### **GENERAL**

This term and condition incorporates by reference the signed assurance provided by the recipient's authorized representative on: 1) EPA Form 4700-4, "Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance"; and 2) Standard Form 424B or Standard Form 424D, as applicable. These assurances and this term and condition obligate the recipient to comply fully with applicable civil rights statutes and implementing EPA regulations.

#### **STATUTORY REQUIREMENTS**

In carrying out this agreement, the recipient must comply with:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin, including limited English proficiency (LEP), by entities receiving Federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against persons with disabilities by entities receiving Federal financial assistance; and
- The Age Discrimination Act of 1975, which prohibits age discrimination by entities receiving Federal financial assistance.

If the recipient is conducting an education program under this agreement, it must also comply with:

- Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities operated by entities receiving Federal financial assistance.

If this agreement is funded with financial assistance under the Clean Water Act (CWA), the recipient must also comply with:

- Section 13 of the Federal Water Pollution Control Act Amendments of 1972, which prohibits discrimination on the basis of sex in CWA-funded programs or activities.

#### **REGULATORY REQUIREMENTS**

The recipient agrees to comply with all applicable EPA civil rights regulations, including:

- For Title IX obligations, 40 C.F.R. Part 5; and
- For Title VI, Section 504, Age Discrimination Act, and Section 13 obligations, 40 C.F.R. Part 7.
- As noted on the EPA Form 4700-4 signed by the recipient's authorized representative, these regulations establish specific requirements including maintaining compliance information, establishing grievance procedures, designating a Civil Rights Coordinator, and providing notices of non-discrimination.

#### **TITLE VI – LEP, Public Participation and Affirmative Compliance Obligation**

- As a recipient of EPA financial assistance, you are required by Title VI of the Civil Rights Act to provide meaningful access to LEP individuals. In implementing that requirement, the recipient agrees to use as a guide the Office of Civil Rights (OCR) document entitled "*Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.*" The guidance can be found at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2004\\_register&docid=fr25jn04-79.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2004_register&docid=fr25jn04-79.pdf)
- If the recipient is administering permitting programs under this agreement, the recipient agrees to use as a guide OCR's Title VI Public Involvement Guidance for EPA Assistance Recipients Administering Environmental Permitting Programs. The Guidance can be found at <http://edocket.access.gpo.gov/2006/pdf/06-2691.pdf>.
- In accepting this assistance agreement, the recipient acknowledges it has an affirmative obligation to implement effective Title VI compliance programs and ensure that its actions do not involve discriminatory treatment and do not have discriminatory effects even when facially neutral. The recipient must be prepared to demonstrate to EPA that such compliance programs exist and are being implemented or to otherwise demonstrate how it is meeting its Title VI obligations.

41. Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

42. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.



# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

GRANT NUMBER (FAIN): 00F09901

MODIFICATION NUMBER: 4

PROGRAM CODE: V

DATE OF AWARD

04/15/2013

TYPE OF ACTION

Augmentation: Increase

MAILING DATE

04/22/2013

PAYMENT METHOD:

ASAP

ACH#

60656

RECIPIENT TYPE:

Indian Tribe

Send Payment Request to:

Las Vegas Finance Center

RECIPIENT:

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

EIN: 73-0946495

PAYEE:

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PROJECT MANAGER

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EPA GRANT SPECIALIST

Belenthia Epps

Grant Programs Section, 6MD-CG

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Phone: 214-665-8390

## PROJECT TITLE AND EXPLANATION OF CHANGES

Quapaw Tribe of Oklahoma Superfund #2

The amendment increases funding by \$30,000 for a total of 504,840.

BUDGET PERIOD

03/01/2010 - 06/30/2013

PROJECT PERIOD

03/01/2010 - 06/30/2013

TOTAL BUDGET PERIOD COST

\$504,840.00

TOTAL PROJECT PERIOD COST

\$504,840.00

## NOTICE OF AWARD

Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$30,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$504,840. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

## ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

## AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

Grant Programs Section, 6MD-CG  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

ORGANIZATION / ADDRESS

U.S. EPA, Region 6  
Superfund Division  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official Donna Miller - Chief, Grant Programs Section

DATE

04/15/2013

V - 00F09901 - 4 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 474,840	\$ 30,000	\$ 504,840
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 474,840	\$ 30,000	\$ 504,840

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$179,320
2. Fringe Benefits	\$46,237
3. Travel	\$10,398
4. Equipment	\$0
5. Supplies	\$3,393
6. Contractual	\$165,812
7. Construction	\$0
8. Other	\$9,949
9. Total Direct Charges	\$415,109
10. Indirect Costs: % Base	\$89,731
11. Total (Share: Recipient % Federal 100.00 %.)	\$504,840
12. Total Approved Assistance Amount	\$504,840
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$30,000
15. Total EPA Amount Awarded To Date	\$504,840

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$175,768
2. Fringe Benefits	\$45,335
3. Travel	\$10,192
4. Equipment	\$0
5. Supplies	\$3,326
6. Contractual	\$162,528
7. Construction	\$0
8. Other	\$9,738
9. Total Direct Charges	\$406,887
10. Indirect Costs	\$87,953
11. Total (Share: Recipient % Federal %.)	\$494,840
12. Total Approved Assistance Amount	\$494,840
13. Program Income	\$0

## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient % Federal %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0



### **Administrative Conditions**

38. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

### **Programmatic Conditions**

39. Pre award costs are permitted from March 1, 2010 until the actual award of the Cooperative Agreement. OU-4 expenditures are to be charged under accounting code: 06JWMA04 and OU-5 expenditures are to be charged to 06TSMA05. Submissions of narrative programmatic and financial reports are to be submitted to the Region in a timely manner every federal quarter. Reports will be due no later than 30 days after the end of each federal quarter. Narrative and financial information are to be submitted at the same time. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the scope of work involves a jointly supported strong ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution, and escalation of problems to top level managers.



# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

GRANT NUMBER (FAIN): 00F09901  
MODIFICATION NUMBER: 3  
PROGRAM CODE: V

DATE OF AWARD  
03/18/2013

TYPE OF ACTION  
No Cost Amendment

MAILING DATE  
03/18/2013

PAYMENT METHOD:  
ASAP

ACH#  
60656

RECIPIENT TYPE:  
Indian Tribe

Send Payment Request to:  
Las Vegas Finance Center

RECIPIENT:

PAYEE:

Quapaw Tribe of Oklahoma  
P.O. Box 765  
Quapaw, OK 74363  
EIN: 73-0946495

Quapaw Tribe of Oklahoma  
P.O. Box 765  
Quapaw, OK 74363

### PROJECT MANAGER

### EPA PROJECT OFFICER

### EPA GRANT SPECIALIST

Tim L. Kent  
P.O. Box 765  
Quapaw, OK 74363  
E-Mail: timlkent@hotmail.com  
Phone: 918-542-1853

Kathy Gibson  
Superfund Division, 6SF-VC  
E-Mail: Gibson.Kathy@epamail.epa.gov  
Phone: 214-665-7196

Belenthia Epps  
Grant Programs Section, 6MD-CG  
E-Mail: Epps.Belenthia@epamail.epa.gov  
Phone: 214-665-8390

### PROJECT TITLE AND EXPLANATION OF CHANGES

Quapaw Tribe of Oklahoma - FY 2010 - 2013

This amendment extends the budget/project period through June 30, 2013 at no additional cost to the government.

### BUDGET PERIOD

03/01/2010 - 06/30/2013

### PROJECT PERIOD

03/01/2010 - 06/30/2013

### TOTAL BUDGET PERIOD COST

\$474,840.00

### TOTAL PROJECT PERIOD COST

\$474,840.00

## NOTICE OF AWARD

Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$474,840. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

### ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

### AWARD APPROVAL OFFICE

#### ORGANIZATION / ADDRESS

Grant Programs Section, 6MD-CG  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

#### ORGANIZATION / ADDRESS

U.S. EPA, Region 6  
Superfund Division  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist

DATE  
03/18/2013

V - 00F09901 - 3 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 474,840	\$	\$ 474,840
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 474,840	\$ 0	\$ 474,840

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$168,664
2. Fringe Benefits	\$42,844
3. Travel	\$9,780
4. Equipment	\$0
5. Supplies	\$3,191
6. Contractual	\$156,379
7. Construction	\$0
8. Other	\$9,583
9. Total Direct Charges	\$390,441
10. Indirect Costs: % Base	\$84,399
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$474,840
12. Total Approved Assistance Amount	\$474,840
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$474,840

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$165,112
2. Fringe Benefits	\$41,942
3. Travel	\$9,574
4. Equipment	\$0
5. Supplies	\$3,124
6. Contractual	\$153,095
7. Construction	\$0
8. Other	\$9,372
9. Total Direct Charges	\$382,219
10. Indirect Costs	\$82,621
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$464,840
12. Total Approved Assistance Amount	\$464,840
13. Program Income	\$0

## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0

### **Administrative Conditions**

34. Per Public Law 112-175 (Continuing Appropriations Resolution, 2013) this award is subject to the provisions contained in the Department of Interior, Environment, and Related Agencies Appropriations Act, 2012, HR 2055, Division E, Sections 433 and 434 (sections 433 and 434) regarding unpaid federal tax liabilities and federal felony convictions. Accordingly, by accepting this award the recipient acknowledges that it: (1) is not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) has not been convicted (or had an officer or agent acting on its behalf convicted) of a felony criminal conviction under any Federal law within 24 months preceding the award, unless EPA has considered suspension or debarment of the corporation, or such officer or agent, based on these tax liabilities or convictions and determined that such action is not necessary to protect the Government's interests. If the recipient fails to comply with these provisions, EPA will annul this agreement and may recover any funds the recipient has expended in violation of sections 433 and 434.

### **35. CIVIL RIGHTS OBLIGATIONS**

#### **GENERAL**

This term and condition incorporates by reference the signed assurance provided by the recipient's authorized representative on: 1) EPA Form 4700-4, "Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance"; and 2) Standard Form 424B or Standard Form 424D, as applicable. These assurances and this term and condition obligate the recipient to comply fully with applicable civil rights statutes and implementing EPA regulations.

#### **STATUTORY REQUIREMENTS**

In carrying out this agreement, the recipient must comply with:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin, including limited English proficiency (LEP), by entities receiving Federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against persons with disabilities by entities receiving Federal financial assistance; and
- The Age Discrimination Act of 1975, which prohibits age discrimination by entities receiving Federal financial assistance.

If the recipient is conducting an education program under this agreement, it must also comply with:

- Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities operated by entities receiving Federal financial assistance.

If this agreement is funded with financial assistance under the Clean Water Act (CWA), the recipient must also comply with:

- Section 13 of the Federal Water Pollution Control Act Amendments of 1972, which prohibits discrimination on the basis of sex in CWA-funded programs or activities.

## **REGULATORY REQUIREMENTS**

The recipient agrees to comply with all applicable EPA civil rights regulations, including:

- For Title IX obligations, 40 C.F.R. Part 5; and
- For Title VI, Section 504, Age Discrimination Act, and Section 13 obligations, 40 C.F.R. Part 7.
- As noted on the EPA Form 4700-4 signed by the recipient's authorized representative, these regulations establish specific requirements including maintaining compliance information, establishing grievance procedures, designating a Civil Rights Coordinator, and providing notices of non-discrimination.

## **TITLE VI – LEP, Public Participation and Affirmative Compliance Obligation**

- As a recipient of EPA financial assistance, you are required by Title VI of the Civil Rights Act to provide meaningful access to LEP individuals. In implementing that requirement, the recipient agrees to use as a guide the Office of Civil Rights (OCR) document entitled *"Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons."* The guidance can be found at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2004\\_register&docid=fr25jn04-79.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2004_register&docid=fr25jn04-79.pdf)
- If the recipient is administering permitting programs under this agreement, the recipient agrees to use as a guide OCR's Title VI Public Involvement Guidance for EPA Assistance Recipients Administering Environmental Permitting Programs. The Guidance can be found at <http://edocket.access.gpo.gov/2006/pdf/06-2691.pdf>.
- In accepting this assistance agreement, the recipient acknowledges it has an affirmative obligation to implement effective Title VI compliance programs and ensure that its actions do not involve discriminatory treatment and do not have discriminatory effects even when facially neutral. The recipient must be prepared to demonstrate to EPA that such compliance programs exist and are being implemented or to otherwise demonstrate

how it is meeting its Title VI obligations.

36. Central Contractor Registration/System for Award Management and Universal Identifier Requirements.

A. Requirement for Central Contractor Registration (CCR)/System for Award Management (SAM). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) numbers. If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.

2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions. For purposes of this award term:

1. Central Contractor Registration (CCR)/System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the System for Award Management (SAM) Internet site <http://www.sam.gov>.

2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or

subaward to a non-Federal entity.

4. Subaward:

a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:

a. Receives a subaward from you under this award; and

b. Is accountable to you for the use of the Federal funds provided by the subaward.

4. In accordance with OMB Circular A-133, which implements the single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package. **For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:**

Federal Audit Clearinghouse  
1201 East 10<sup>th</sup> Street  
Jeffersonville, IN 47132

**For fiscal periods 2008 and beyond the recipient MUST submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions you will need to visit the Federal Audit Clearinghouse Web site:**

**<http://harvester.census.gov/fac/>**

**37. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.**





# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

GRANT NUMBER (FAIN): 00F09901

MODIFICATION NUMBER: 2

PROGRAM CODE: V

DATE OF AWARD

03/30/2012

TYPE OF ACTION

Augmentation: Increase

MAILING DATE

04/06/2012

PAYMENT METHOD:

ASAP

ACH#

60656

RECIPIENT TYPE:

Indian Tribe

Send Payment Request to:

Las Vegas Finance Center

RECIPIENT:

PAYEE:

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

EIN: 73-0946495

Quapaw Tribe of Oklahoma

P.O. Box 765

Quapaw, OK 74363

PROJECT MANAGER

Tim L. Kent

P.O. Box 765

Quapaw, OK 74363

E-Mail: timkent@hotmail.com

Phone: 918-542-1853

EPA PROJECT OFFICER

Kathy Gibson

Superfund Division, 6SF-VC

E-Mail: Gibson.Kathy@epamail.epa.gov

Phone: 214-665-7196

EPA GRANT SPECIALIST

Belenthia Epps

Grant Programs Section, 6MD-CG

E-Mail: Epps.Belenthia@epamail.epa.gov

Phone: 214-665-8390

### PROJECT TITLE AND EXPLANATION OF CHANGES

Quapaw Tribe of Oklahoma - FY 2010 - 2013

This amendment increases funding by \$150,000 for a total of \$474,840.

BUDGET PERIOD

03/01/2010 - 12/31/2012

PROJECT PERIOD

03/01/2010 - 12/31/2012

TOTAL BUDGET PERIOD COST

\$474,840.00

TOTAL PROJECT PERIOD COST

\$474,840.00

## NOTICE OF AWARD

Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$150,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$474,840. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

### ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)

ORGANIZATION / ADDRESS

Grant Programs Section, 6MD-CG

1445 Ross Avenue, Suite 1200

Dallas, TX 75202-2733

### AWARD APPROVAL OFFICE

ORGANIZATION / ADDRESS

U.S. EPA, Region 6

Superfund Division

1445 Ross Avenue, Suite 1200

Dallas, TX 75202-2733

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official Donna Miller - Chief, Grant Programs Section

DATE

03/30/2012

V - 00F09901 - 2 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 324,840	\$ 150,000	\$ 474,840
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 324,840	\$ 150,000	\$ 474,840

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$168,664
2. Fringe Benefits	\$42,844
3. Travel	\$9,780
4. Equipment	\$0
5. Supplies	\$3,191
6. Contractual	\$156,379
7. Construction	\$0
8. Other	\$9,583
9. Total Direct Charges	\$390,441
10. Indirect Costs: % Base	\$84,399
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$474,840
12. Total Approved Assistance Amount	\$474,840
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$150,000
15. Total EPA Amount Awarded To Date	\$474,840

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$165,112
2. Fringe Benefits	\$41,942
3. Travel	\$9,574
4. Equipment	\$0
5. Supplies	\$3,124
6. Contractual	\$153,095
7. Construction	\$0
8. Other	\$9,372
9. Total Direct Charges	\$382,219
10. Indirect Costs	\$82,621
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$464,840
12. Total Approved Assistance Amount	\$464,840
13. Program Income	\$0

## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0

### **Administrative Conditions**

32.. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

### **Programmatic Conditions**

33. Pre-award costs are permitted from March 1, 2010 until the actual award of the Cooperative Agreement. OU-4 expenditures are to be charged under accounting code: 06JWMA04 and OU-5 expenditures are to be charged to 06TSMA05. Submissions of narrative programmatic and financial reports are to be submitted to the Region in a timely manner every federal quarter. Reports will be due no later than 30 days after the end of each federal quarter. Narrative and financial information are to be submitted at the same time. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the scope of work involves a jointly supported strong ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution, and escalation of problems to top level managers.



# U.S. ENVIRONMENTAL PROTECTION AGENCY

## Assistance Amendment

GRANT NUMBER (FAIN): 00F09901	DATE OF AWARD
MODIFICATION NUMBER: 1	01/11/2012
PROGRAM CODE: V	MAILING DATE
TYPE OF ACTION	01/11/2012
No Cost Amendment	ACH#
PAYMENT METHOD:	60656
ASAP	

RECIPIENT TYPE: Indian Tribe

Send Payment Request to:  
Las Vegas Finance Center

RECIPIENT:

PAYEE:

Quapaw Tribe of Oklahoma  
P.O. Box 765  
Quapaw, OK 74363  
EIN: 73-0946495

Quapaw Tribe of Oklahoma  
P.O. Box 765  
Quapaw, OK 74363

PROJECT MANAGER	EPA PROJECT OFFICER	EPA GRANT SPECIALIST
Tim L. Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: timkent@hotmail.com Phone: 918-542-1853	Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196	Belenthia Epps Grant Programs Section, 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390

### PROJECT TITLE AND EXPLANATION OF CHANGES

Quapaw Tribe of Oklahoma Superfund FY 2010

This amendment extends the budget/project period through December 31, 2012. This action is provided at no additional cost to the government.

BUDGET PERIOD	PROJECT PERIOD	TOTAL BUDGET PERIOD COST	TOTAL PROJECT PERIOD COST
03/01/2010 - 12/31/2012	03/01/2010 - 12/31/2012	\$324,840.00	\$324,840.00

## NOTICE OF AWARD

Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$324,840. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)	AWARD APPROVAL OFFICE
ORGANIZATION / ADDRESS	ORGANIZATION / ADDRESS
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733	U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist

DATE  
01/11/2012

V - 00F09901 - 1 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 324,840	\$	\$ 324,840
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 324,840	\$ 0	\$ 324,840

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$115,384
2. Fringe Benefits	\$29,310
3. Travel	\$6,690
4. Equipment	\$0
5. Supplies	\$2,183
6. Contractual	\$106,692
7. Construction	\$0
8. Other	\$6,843
9. Total Direct Charges	\$267,102
10. Indirect Costs: % Base	\$57,738
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$324,840
12. Total Approved Assistance Amount	\$324,840
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$324,840

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$111,832
2. Fringe Benefits	\$28,408
3. Travel	\$6,484
4. Equipment	\$0
5. Supplies	\$2,116
6. Contractual	\$103,408
7. Construction	\$0
8. Other	\$6,632
9. Total Direct Charges	\$258,880
10. Indirect Costs	\$55,960
11. Total (Share: Recipient % Federal %.)	\$314,840
12. Total Approved Assistance Amount	\$314,840
13. Program Income	\$0

## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient % Federal %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0

## **Administrative Conditions**

### **28. Central Contractor Registration and Universal Identifier Requirements.**

A. Requirement for Central Contractor Registration (CCR). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) numbers. If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.

2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions. For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).

2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.



4. Subaward:

a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:

a. Receives a subaward from you under this award; and

b. Is accountable to you for the use of the Federal funds provided by the subaward.

29. Reporting Subawards and Executive Compensation.

a. Reporting of first-tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e of this award term).

2. Where and when to report.

i. You must report each obligating action described in paragraph a.1. of this award term to [www.fsrs.gov](http://www.fsrs.gov).

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. What to report. You must report the information about each obligating action that the submission instructions posted at [www.fsrs.gov](http://www.fsrs.gov) specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if --

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received--

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:

- i. As part of your registration profile at [www.ccr.gov](http://www.ccr.gov).
- ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if --

- i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- i. To the recipient.
- ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. subawards,  
and
- ii. the total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:
  - i. A Governmental organization, which is a State, local government, or Indian tribe;
  - ii. A foreign public entity;
  - iii. A domestic or foreign nonprofit organization;
  - iv. A domestic or foreign for-profit organization;
  - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
- iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:

- i. Receives a subaward from you (the recipient) under this award;  
and
- ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- i. *Salary and bonus* .
- ii. *Awards of stock, stock options, and stock appreciation rights* . Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the

Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. *Earnings for services under non-equity incentive plans* . This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. *Change in pension value*. This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified* .

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

### 30. Trafficking in persons.

#### a. *Provisions applicable to a recipient that is a private entity* .

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;

ii. Procure a commercial sex act during the period of time that the award is in effect; or

iii. Use forced labor in the performance of the award or subawards under the award.

2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —

i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or

ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

A. Associated with performance under this award; or

B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our Agency at 2 CFR 1532.

#### b. *Provision applicable to a recipient other than a private entity* . We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or

2. Has an employee who is determined by the agency official authorized to terminate the

award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—

- i. Associated with performance under this award; or
- ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR 1532

*c. Provisions applicable to any recipient .*

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
  - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
  - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

*d. Definitions .* For purposes of this award term:

1. “Employee” means either:
  - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
  - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. “Private entity”:
  - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
  - ii. Includes:
    - A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
    - B. A for-profit organization.
4. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

31. To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, as amended, the following provisions apply to this award:

- a. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity: (1) is determined to have violated an applicable prohibition in the


Prohibition Statement below; or (2) has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in the Prohibition Statement below through conduct that is either: (a) associated with performance under this award; or (b) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 1532. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in the Prohibition Statement below.

b. Our right to terminate unilaterally that is described in paragraph a of this award term: (1) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and (2) is in addition to all other remedies for noncompliance that are available to us under this award.

c. You must include the requirements of the Prohibition Statement below in any subaward you make to a private entity.

Prohibition Statement - You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or subawards under the award.

32. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Cooperative Agreement</b>	GRANT NUMBER (FAIN): 00F09901		DATE OF AWARD
		MODIFICATION NUMBER: 0		03/31/2010
		PROGRAM CODE: V		MAILING DATE
		TYPE OF ACTION		04/07/2010
New		PAYMENT METHOD:		ACH#
ACH				60656
RECIPIENT TYPE: Indian Tribe		Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:		PAYEE:		
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495		Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST
Tim L. Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: timlkent@hotmail.com Phone: 918-542-1853		Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Grant Programs Section, 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390
<b>PROJECT TITLE AND DESCRIPTION</b> Quapaw Tribe of Oklahoma Superfund FY 2010 This is the first award for FY 2010 to the Quapaw Tribe. This is a new Cooperative Agreement to award funding to the following activity:  Management Assistance (MA) - 324,840  \$314,840 for Tar Creek OU-4 \$10,000 for Tar Creek OU-5  Management Assistance activities are those activities conducted by the recipient to ensure its meaningful and substantial involvement. These activities include field activities with oversight, reviewing and commenting on technical reports, attending technical and public meetings, and ensuring that remedial activities are completed in accordance with applicable laws. Activities are listed as remedial investigations, feasibility studies, human health and ecological risk assessments, records of decision, remedial design, five year reviews, and National Priorities List (NPL) deletion.				
BUDGET PERIOD 03/01/2010 - 12/31/2011		PROJECT PERIOD 03/01/2010 - 12/31/2011		TOTAL PROJECT PERIOD COST \$324,840.00
		TOTAL BUDGET PERIOD COST \$324,840.00		
<b>NOTICE OF AWARD</b>				
Based on your Application dated 02/09/2010 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$324,840. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$324,840. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS		ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
Digital signature applied by EPA Award Official Lynda F. Carroll - Assistant Regional Administrator for Management (6MD)				DATE 03/31/2010

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 324,840	\$ 324,840
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 324,840	\$ 324,840

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
OU-4	1006LVR003	10	TR2	06L	302DD2E	4185	06JWMA04	C007	314,840
OU-5	1006LVR003	10	TR2	06L	302DD2E	4185	06TSMA05	C010	10,000
									324,840



## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
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6. Contractual	\$106,692
7. Construction	\$0
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9. Total Direct Charges	\$267,102
10. Indirect Costs: % Base	\$57,738
11. Total (Share: Recipient 0.00 % Federal 100.00 %.)	\$324,840
12. Total Approved Assistance Amount	\$324,840
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$324,840
15. Total EPA Amount Awarded To Date	\$324,840

## Quapaw Tribe MA OU-4

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
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9. Total Direct Charges	\$258,880
10. Indirect Costs	\$55,960
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## Quapaw Tribe OU-5

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$3,552
2. Fringe Benefits	\$902
3. Travel	\$206
4. Equipment	\$0
5. Supplies	\$67
6. Contractual	\$3,284
7. Construction	\$0
8. Other	\$211
9. Total Direct Charges	\$8,222
10. Indirect Costs	\$1,778
11. Total (Share: Recipient % Federal %.)	\$10,000
12. Total Approved Assistance Amount	\$10,000
13. Program Income	\$0

### **Administrative Conditions**

This Assistance Agreement is awarded in accordance with the **Federal Grants and Cooperative Agreement Act of 1977**. Areas of substantial EPA involvement, beyond the normal exercise of performance evaluation and program review, have been detailed in specific output objectives which resulted from negotiation between EPA and the recipient. These areas are included in the application for this award and have become a part of this Agreement.

1. The recipient covenants and agrees that it will expeditiously initiate and timely complete the project work for which assistance has been awarded under this Agreement, in accordance with all applicable provisions of **40 CFR Chapter 1, Subchapter B**. The recipient warrants, represents, and agrees that it and all its contractors, employees and representatives, will comply with all APPLICABLE provisions of **40 CFR Chapter 1, Subchapter B, INCLUDING BUT NOT LIMITED TO** the provisions of **40 CFR, Parts 30, 31, 32, 33, 34, and 35, Subpart O**. This award may be reduced or terminated at such time the recipient fails to comply with the program objectives, grant award conditions, or Federal reporting requirements.

2. Recipient standards of administration, property management, procurement and financial management, as well as records and facilities of recipients, their contractors and subcontractors are subject to audit and inspection by the Comptroller General of the United States and the U.S. Environmental Protection Agency in accordance with Office of Management and Budget (OMB) Circulars A-87, A-102, A-110, A-128, and 40 CFR, Part 35.

The recipient's standards governing procurement will be in accordance with 40 CFR, Part 35, Subpart O, Part 33 and OMB Circular A-102. The recipient shall submit Procurement Reports required by 40 CFR Section 35.6665. The recipient shall maintain a financial management system which meets the requirements of 40 CFR, Section 35.6270.

3. In accordance with the requirements contained in Section 6002 of the Resources Conservation and Recovery Act (RCRA), 42 USC 6962, the recipient is required to purchase items containing recovered materials. These requirements apply when the recipient purchases more than \$10,000 each Fiscal Year of any item covered by the following procurement guidelines including: paper and paper products (40 CFR Part 250); lubricating oil containing re-refined oil (40 CFR Part 252); retread tires (40 CFR Part 253); building insulation products (40 CFR Part 248) and cement and concrete containing fly ash (40 CFR Part 249). EPA publication PROCUREMENT GUIDELINES FOR GOVERNMENT AGENCIES dated December, 1990 (EPA/530-SW-91-011) provides specific recommendations for the implementation of these requirements.
4. In accordance with **40 CFR, Section 31.41**, the recipient shall submit in a **quarterly Federal Financial Report (FFR), Standard Form 425**, to:

Grant Programs Section (6MD-CG)

U. S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

A **final FFR** is due on or before 90 days after the end of each phase (i.e. Remedial Investigation/Feasibility Study, Remedial Design and Remedial Action) and after the end of the budget period. In accordance with Agency policy, all project expenditures reported by the recipient shall be deemed to include both the Federal and recipient share of the expenditures. A listing of equipment or property purchased under this project but no longer needed for the project must be included with the final FSR. Disposition of equipment and supplies will be in accordance with 40 CFR Sections 30.34, 30.532, 31.32, 31.33, and 35.6340, as applicable, depending on date of purchase.

All FFRs (quarterly and final) must identify the site and phase.

5. The recipient shall organize and maintain site-specific information on activities and costs where Superfund monies are used. Prior to making expenditures of Superfund monies for corrective and enforcement actions, a system must be in place to record these types of costs on a site-specific basis by phase and operable unit. All other costs that can be identified to a particular site should be charged accordingly. State contractors must bill costs on a site-specific basis, including corrective action costs, enforcement costs, and, to the extent possible, management costs. (Funding for the Core project is for program management of Superfund activities and costs will be non-site specific. However, the general management of Superfund Program activities includes assurances that site-specific cost information is maintained.) Record requirements are found at 40 CFR Section 35.6700 through Section 35.6710.
6. The recipient shall maintain supporting documentation and appropriate records in support of any future cost recovery efforts. The State shall adhere to the principles of documentation and records retention described in the manual, State Participation in the Superfund Program, OSWER Directive 9375.1-4u, "Costs Documentation Requirements for Superfund Cooperative Agreements." The State shall make these records available to the Federal Government, as needed, on a case-by-case basis.
7. The recipient shall submit a Quality Assurance Project Plan (QAPP) for each National Priority List Superfund Site for the RI/FOIST, RD and RA phases, prior to any environmental measures, to the EPA State Coordinator for review, evaluation and approval.
8. The State shall ensure that public input will be sought in accordance with the approved Community Relations Plan.
9. The Federal share of allowable expenditures chargeable to this assistance project will be financed by the EPA AUTOMATED CLEARING HOUSE (EPA-ACH) PAYMENT SYSTEM or U.S. TREASURY AUTOMATED STANDARD APPLICATION FOR

## PAYMENTS (ASAP) SYSTEM.

The recipient will strictly adhere to the accounting and reporting procedures described in the EPA-ACH Recipient's Manual for the duration of the project. Three conditions should receive special attention:

- a. Cash drawdowns will be made only as actually needed for disbursements.
- b. **SPECIAL NOTE:** When a drawdown under the EPA-ACH Payment System occurs, the recipient must show the Assistance Agreement Number(s) under "Financial Data" on the EPA-ACH Payment Request Form. Requests for payment should be faxed to:

(702) 798-2423  
Las Vegas Finance Center  
Attention: Region 6 Financial Specialist

- c. The recipient will impose the same standards of timing and reporting on secondary recipients, if any.

**SPECIAL NOTE:** When a drawdown under the EPA-ACH Payment System occurs, the recipient must show the Assistance Agreement Number(s) under "Financial Data" on the EPA-ACH Payment Request Form. Requests for payment should be faxed to:

(702) 798-2423 Las Vegas Finance Center  
Attention: Region 6 Financial Specialist

10. **QUALITY MANAGEMENT PLAN (QMP)** - The recipient will submit an update or revision of the Quality Management Plan annually to the Region Quality Assurance Manager (6MD) for approval, or a certification that the plan is current, and include a copy of the recipient's new approval pages for the QMP.
11. **QUALITY ASSURANCE PROJECT PLAN (QAPP)** - **Sixty days prior to the initiation of any environmental measurements or data generation**, the recipient shall submit to the EPA Project Officer, for review and approval, a written Quality Assurance Project Plan (QAPP) for this grant project. The QAPP shall comply with the guidelines specified in the document entitled "EPA Requirements for Quality Assurance Project Plans for Environmental Data Operations", EPA QA/R5. If any change is required after EPA approval, the recipient must notify the Project Officer **immediately** and request approval for the change **prior to implementation**. At the end of each Federal Fiscal Year, September 30, the grantee shall certify in writing to the EPA Project Officer that the QAPP is current, and include a copy of the recipient's new approval pages for the QAPP.

**Any costs for environmental measurements or data generation incurred prior to approval of the Quality Assurance Project Plan by the EPA Project Officer will be**

**ineligible for reimbursement.**

12. Payment to consultants. EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2010, the limit is \$596.00 per day and \$74.50 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j) or 30.27(b).

13. **UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

**GENERAL COMPLIANCE, 40 CFR, Part 33**

The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements, contained in 40 CFR, Part 33.

**FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D**

Pursuant to 40 CFR, Section 33.412, Tribal and Insular Area recipients are not required to negotiate a fair share goal until 3 years from the effective date of the DBE Rule. After that 3-year phase-in period has expired, Tribal and Insular Area recipients are required to adhere to the full requirements of 40 CFR, Part 33, Subpart D, as applicable.

**SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C**

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained.

(a) Require DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.

(b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

#### **MBE/WBE REPORTING, 40 CFR, Part 33, Sections 33.502 and 33.503**

The recipient agrees to complete and submit EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" beginning with the Federal fiscal year reporting period the recipient receives the award, and continuing until the project is completed. **Only procurements with certified MBE/WBEs are counted toward a recipient's MBE/WBE accomplishments.** The reports must be submitted **semiannually** for the periods ending March 31<sup>st</sup> and September 30<sup>th</sup> for:

Recipients of financial assistance agreements that capitalize revolving loan programs (CWSRF, DWSRF, Brownfields); and

All other recipients not identified as annual reporters (40 CFR Part 30 and 40 CFR Part 35, Subpart A and Subpart B recipients are annual reporters).

**The reports are due within 30 days of the end of the semiannual reporting periods (April 30<sup>th</sup> and October 30<sup>th</sup>). Reports should be sent to MBE/WBE Region Coordinator (6MD-CP), 1445 Ross Avenue, Dallas, Texas 75202-2733. Final MBE/WBE reports must be submitted within 90 days after the project period of the grant ends. Your grant cannot be officially closed without all MBE/WBE reports.**

EPA Form 5700-52A may be obtained from the EPA Office of Small Business Program's Home Page on the Internet at [www.epa.gov/osbp](http://www.epa.gov/osbp).

#### **CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302**

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

#### **BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)**

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving

identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

14. The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at [http://www.access.gpo.gov/nara/cfr/waisidx/06/40cfr36\\_06.html](http://www.access.gpo.gov/nara/cfr/waisidx/06/40cfr36_06.html).

15. Congress has prohibited EPA from using its FY 2010 appropriations to provide funds to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries. None of the funds provided under this agreement may be used for subawards/subgrants or contracts to ACORN or its subsidiaries. Recipients should direct any questions about this prohibition to their EPA Grants Management Office.

16. Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act

17. Pursuant to OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments," Indian tribal government recipients that do not have a previously established indirect cost rate must submit their indirect cost rate proposals to:

National Business Center  
Indirect Cost Services  
U.S. Department of the Interior  
2180 Harvard Street, Suite 430  
Sacramento, CA 95815-3317

Recipients are entitled to reimbursement of indirect costs, subject to any statutory or regulatory administrative cost limitations, if they have a current rate agreement or have submitted an indirect cost rate proposal to their cognizant federal agency for review and approval. Recipients are responsible for maintaining an approved indirect cost rate. Recipients with differences between their provisional rates and final rates are not entitled to more than the award amount, without EPA approval.

18. The chief executive officer of this recipient agency shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by its

respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

19. Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.
20. In accordance with OMB Circular A-133, which implements the single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package. **For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:**

Federal Audit Clearinghouse  
1201 East 10<sup>th</sup> Street  
Jeffersonville, IN 47132

**For fiscal periods 2008 and beyond the recipient MUST** submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions you will need to visit the Federal Audit Clearinghouse Web site:  
<http://harvester.census.gov/fac/>

21. In accordance with the policies set forth in EPA Order 1000.25 and Executive Order 13423, Strengthening Federal Environmental, Energy and Transportation Management (January 24, 2007), the recipient agrees to use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration.
22. EPA's financial obligations to the recipient are limited by the amount of federal funding awarded to date as shown on line 15 in its EPA approved budget. If the recipient incurs costs in anticipation of receiving additional funds from EPA, it does so at its own risk.



### National Term and Condition for Subawards

- a. The recipient agrees to:
  - (1) Establish all subaward agreements in writing;
  - (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
  - (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
  - (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
  - (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
  - (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;
  - (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and
  - (8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.
- b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.
- c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

24. Recipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business With Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information required under 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipients may access the Excluded Parties List System at <http://www.epls.gov>. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

25. To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, as amended, the following provisions apply to this award:

- a. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity: (1) is determined to have violated an applicable prohibition in the Prohibition Statement below; or (2) has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in the Prohibition Statement below through conduct that is either: (a) associated with performance under this award; or (b) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 1532. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in the Prohibition Statement below.
- b. Our right to terminate unilaterally that is described in paragraph a of this award term: (1) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and (2) is in addition to all other remedies for noncompliance that are available to us under this award.
- c. You must include the requirements of the Prohibition Statement below in any subaward you make to a private entity.

**Prohibition Statement** - You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or subawards under the award.

26. Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit an annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following the end of the reporting quarter

The following reporting period end dates shall be used for interim reports: 3/31, 6/30, 9/30, or 12/31.

At the end of the project, the recipient must submit a final Federal Financial Report to EPA no later than 90 calendar days after the end of the project period. The form is available on the internet at <http://www.epa.gov/ocfo/finservices/forms.htm>. All FFRs must be submitted to the Las Vegas Finance Center: US EPA, LVFC, PO Box 98515, Las Vegas, NV 89193, or by Fax to: 702-798-2423.

The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

### **Programmatic Conditions**

27. Pre award costs are permitted from March 1, 2010 until the actual award of the Cooperative Agreement. OU-4 expenditures are to be charged under accounting code: 06JWMA04 and OU-5 expenditures are to be charged to 06TSMA05. Submissions of narrative programmatic and financial reports are to be submitted to the Region in a timely manner every federal quarter. Reports will be due no later than 30 days after the end of each federal quarter. Narrative and financial information are to be submitted at the same time. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the scope of work involves a jointly supported strong ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution, and escalation of problems to top level managers.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: E		12/09/2009
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION No Cost Amendment		12/09/2009
PAYMENT METHOD: ASAP			ACH# 60656		
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			PAYEE: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER Tim L. Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: timkent@quapawtribe.com Phone: (918) 542-1853		EPA PROJECT OFFICER Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		EPA GRANT SPECIALIST Belenthia Epps Grant Programs Section, 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Quapaw Tar Creek Management Assistance This amendment extends the budget/project period through February 28, 2010.					
BUDGET PERIOD 10/01/2004 - 02/28/2010		PROJECT PERIOD 10/01/2004 - 02/28/2010		TOTAL BUDGET PERIOD COST \$1,404,975.00	
				TOTAL PROJECT PERIOD COST \$1,404,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 07/14/2009 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,404,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			ORGANIZATION / ADDRESS U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist					DATE 12/09/2009

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,404,975	\$	\$ 1,404,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,404,975	\$ 0	\$ 1,404,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O


[illegible]

## Budget Summary Page: Quapaw Tribe Amendment 2009

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$357,887
<b>2. Fringe Benefits</b>	\$110,608
<b>3. Travel</b>	\$33,652
<b>4. Equipment</b>	\$16,600
<b>5. Supplies</b>	\$59,750
<b>6. Contractual</b>	\$609,034
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$23,333
<b>9. Total Direct Charges</b>	\$1,210,864
<b>10. Indirect Costs: % Base</b>	\$194,111
<b>11. Total (Share: Recipient % Federal <u>100.00</u> %.)</b>	\$1,404,975
<b>12. Total Approved Assistance Amount</b>	\$200,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$0
<b>15. Total EPA Amount Awarded To Date</b>	\$1,404,975

**Administrative Conditions**

46. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: D		11/13/2009
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION		11/13/2009
No Cost Amendment		PAYMENT METHOD:		ACH#	
ASAP		60656			
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:			PAYEE:		
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Tim L. Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: timkent@quapawtribe.com Phone: (918) 542-1853		Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Grant Programs Section, 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Quapaw Tar Creek Management Assistance This amendment extends the budget/project period through December 31, 2009.					
BUDGET PERIOD 10/01/2004 - 12/31/2009		PROJECT PERIOD 10/01/2004 - 12/31/2009		TOTAL BUDGET PERIOD COST \$1,404,975.00	
				TOTAL PROJECT PERIOD COST \$1,404,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 07/14/2009 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,404,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist					DATE 11/13/2009

## EPA Funding Information

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,404,975	\$	\$ 1,404,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,404,975	\$ 0	\$ 1,404,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]



## Budget Summary Page: Quapaw Tribe Amendment 2009

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	<b>\$357,887</b>
<b>2. Fringe Benefits</b>	<b>\$110,608</b>
<b>3. Travel</b>	<b>\$33,652</b>
<b>4. Equipment</b>	<b>\$16,600</b>
<b>5. Supplies</b>	<b>\$59,750</b>
<b>6. Contractual</b>	<b>\$609,034</b>
<b>7. Construction</b>	<b>\$0</b>
<b>8. Other</b>	<b>\$23,333</b>
<b>9. Total Direct Charges</b>	<b>\$1,210,864</b>
<b>10. Indirect Costs: % Base</b>	<b>\$194,111</b>
<b>11. Total (Share: Recipient % Federal <u>100.00</u> %.)</b>	<b>\$1,404,975</b>
<b>12. Total Approved Assistance Amount</b>	<b>\$200,000</b>
<b>13. Program Income</b>	<b>\$0</b>
<b>14. Total EPA Amount Awarded This Action</b>	<b>\$0</b>
<b>15. Total EPA Amount Awarded To Date</b>	<b>\$1,404,975</b>

### **Administrative Conditions**

46. The Federal share of allowable expenditures chargeable to this assistance project will be financed by the EPA AUTOMATED CLEARING HOUSE (EPA-ACH) PAYMENT SYSTEM or U.S. TREASURY AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP) SYSTEM.

The recipient will strictly adhere to the accounting and reporting procedures described in the EPA-ACH Recipient's Manual for the duration of the project. Three conditions should receive special attention:

- a. Cash drawdowns will be made only as actually needed for disbursements.
- b. **SPECIAL NOTE:** When a drawdown under the EPA-ACH Payment System occurs, the recipient must show the Assistance Agreement Number(s) under "Financial Data" on the EPA-ACH Payment Request Form. Requests for payment should be faxed to:

(702) 798-2423  
Las Vegas Finance Center  
Attention: Region 6 Financial Specialist

- c. The recipient will impose the same standards of timing and reporting on secondary recipients, if any.

47. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

48. Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit a final Federal Financial Report (SF-425) to EPA no later than 90 calendar days after the end of the project period. The form is available on the internet at <http://www.epa.gov/ocfo/finservices/forms.htm>. All FFRs must be submitted to the Las Vegas Finance Center: US EPA, LVFC, PO Box 98515, Las Vegas, NV 89193, or by Fax to: 702-798-2423.

The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: C		08/13/2009
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION Revision: Scope & Increase		08/20/2009
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			PAYEE: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER Tim L. Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: timlkent@quapawtribe.com Phone: (918) 542-1853		EPA PROJECT OFFICER Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		EPA GRANT SPECIALIST Belenthia Epps Grant Programs Section, 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Quapaw Tar Creek Management Assistance This amendment increases Federal funds by \$200,000 for a total of \$1,404,975.					
BUDGET PERIOD 10/01/2004 - 09/30/2009		PROJECT PERIOD 10/01/2004 - 09/30/2009		TOTAL BUDGET PERIOD COST \$1,404,975.00	
				TOTAL PROJECT PERIOD COST \$1,404,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 07/14/2009 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$200,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,404,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			ORGANIZATION / ADDRESS U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Hattie Brown - Chief, Grant Programs Section					DATE 08/13/2009

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,204,975	\$ 200,000	\$ 1,404,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,204,975	\$ 200,000	\$ 1,404,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O


Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
QUAPAW	096APLG016	09	T	6A00P	302DD2E	4185	06JWMA00	C001	200,000
									200,000

Budget Summary Page: Quapaw Tribe Amendment 2009

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$357,887
<b>2. Fringe Benefits</b>	\$110,608
<b>3. Travel</b>	\$33,652
<b>4. Equipment</b>	\$16,600
<b>5. Supplies</b>	\$59,750
<b>6. Contractual</b>	\$609,034
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$23,333
<b>9. Total Direct Charges</b>	\$1,210,864
<b>10. Indirect Costs: % Base</b>	\$194,111
<b>11. Total (Share: Recipient % Federal <u>100.00</u> %.)</b>	\$1,404,975
<b>12. Total Approved Assistance Amount</b>	\$200,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$200,000
<b>15. Total EPA Amount Awarded To Date</b>	\$1,404,975

**Administrative Conditions**

47. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: B		07/06/2009
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION No Cost Amendment		07/06/2009
PAYMENT METHOD: ASAP			ACH# 60656		
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			PAYEE: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: (918) 542-1853		EPA PROJECT OFFICER Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		EPA GRANT SPECIALIST Belenthia Epps Grant Programs Section, 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Quapaw Tar Creek Management Assistance This amendment extends the budget/project period through September 30, 2009, at no additional cost to the government.					
BUDGET PERIOD 10/01/2004 - 09/30/2009		PROJECT PERIOD 10/01/2004 - 09/30/2009		TOTAL BUDGET PERIOD COST \$1,204,975.00	
				TOTAL PROJECT PERIOD COST \$1,204,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 07/18/2008 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,204,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			ORGANIZATION / ADDRESS U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist					DATE 07/06/2009

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,204,975	\$	\$ 1,204,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,204,975	\$ 0	\$ 1,204,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]




## Budget Summary Page: Quapaw Tribe Management Assistance

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$323,557
<b>2. Fringe Benefits</b>	\$101,325
<b>3. Travel</b>	\$31,342
<b>4. Equipment</b>	\$16,600
<b>5. Supplies</b>	\$59,100
<b>6. Contractual</b>	\$481,044
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$21,533
<b>9. Total Direct Charges</b>	\$1,034,501
<b>10. Indirect Costs: % Base</b>	\$170,474
<b>11. Total (Share: Recipient % Federal <u>100.00</u> %.)</b>	\$1,204,975
<b>12. Total Approved Assistance Amount</b>	\$200,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$0
<b>15. Total EPA Amount Awarded To Date</b>	\$1,204,975

**Administrative Conditions**

EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: A		09/03/2008
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION		09/10/2008
			Augmentation: Increase		
			PAYMENT METHOD: ASAP		ACH# 60656
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:			PAYEE:		
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: (918) 542-1853		Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Grant Programs Section, 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Quapaw Tar Creek Management Assistance Increase of Funds (Supplemental); This adds \$200,000 for a total of \$1,204,975.					
BUDGET PERIOD		PROJECT PERIOD		TOTAL BUDGET PERIOD COST	
10/01/2004 - 07/01/2009		10/01/2004 - 07/01/2009		\$1,204,975.00	
				TOTAL PROJECT PERIOD COST	
				\$1,204,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 07/18/2008 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$200,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,204,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official Hattie Brown - Chief, Grant Programs Section					DATE
					09/03/2008

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,004,975	\$ 200,000	\$ 1,204,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,004,975	\$ 200,000	\$ 1,204,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
OU-4 - TAR	086APLG025	08	T	6A00P	. 302DD2E	4185	06JWMA00	C001	200,000
									200,000

## Budget Summary Page: Quapaw Tribe Management Assistance

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$323,557
<b>2. Fringe Benefits</b>	\$101,325
<b>3. Travel</b>	\$31,342
<b>4. Equipment</b>	\$16,600
<b>5. Supplies</b>	\$59,100
<b>6. Contractual</b>	\$481,044
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$21,533
<b>9. Total Direct Charges</b>	\$1,034,501
<b>10. Indirect Costs: % Base</b>	\$170,474
<b>11. Total (Share: Recipient % Federal <u>100.00</u> %.)</b>	\$1,204,975
<b>12. Total Approved Assistance Amount</b>	\$200,000
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$200,000
<b>15. Total EPA Amount Awarded To Date</b>	\$1,204,975

### **Administrative Conditions**

46. In accordance with OMB Circular A-133, which implements the single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package. **For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:**


Federal Audit Clearinghouse  
1201 East 10<sup>th</sup> Street  
Jeffersville, IN 47132

**For fiscal periods 2008 and beyond the recipient MUST submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions you will need to visit the Federal Audit Clearinghouse Web site:**  
<http://harvester.census.gov/fac/>

47. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

### **Programmatic Conditions**

48. Standard conditions apply with emphasis on submissions of both narrative and financial quarterly reporting by the due dates. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the scope of work involves a jointly supported strong ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution and escalation of problems to top level managers. Standard conditions apply with emphasis on submissions of both narrative and financial quarterly reporting by the due dates. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the scope of work involves a jointly supported strong ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution and escalation of problems to top level managers.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: 9		08/12/2008
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION No Cost Amendment		08/12/2008
PAYMENT METHOD: ASAP		ACH# 60656			
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			PAYEE: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: (918) 542-1853		EPA PROJECT OFFICER Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		EPA GRANT SPECIALIST Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program - Tar Creek Management Assistance Time Extension (Amendment); The Quapaw Tribe is requesting a three month no cost extension. The Tribe will continue performing tasks as described in the work plan. The budget/project period is extended to October 31, 2008.					
BUDGET PERIOD 10/01/2004 - 10/31/2008		PROJECT PERIOD 10/01/2004 - 10/31/2008		TOTAL BUDGET PERIOD COST \$1,004,975.00	
				TOTAL PROJECT PERIOD COST \$1,004,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 08/23/2007 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,004,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment; and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			ORGANIZATION / ADDRESS U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist					DATE 08/12/2008

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,004,975	\$	\$ 1,004,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,004,975	\$ 0	\$ 1,004,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]



## Budget Summary Page: Quapaw Tribe Management Assistance

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$240,224
<b>2. Fringe Benefits</b>	\$75,175
<b>3. Travel</b>	\$23,662
<b>4. Equipment</b>	\$16,600
<b>5. Supplies</b>	\$55,100
<b>6. Contractual</b>	\$442,227
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$14,333
<b>9. Total Direct Charges</b>	\$867,321
<b>10. Indirect Costs: % Base</b>	\$137,654
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	\$1,004,975
<b>12. Total Approved Assistance Amount</b>	\$1,004,975
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$0
<b>15. Total EPA Amount Awarded To Date</b>	\$1,004,975

**Administrative Conditions**

45. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: 8		06/04/2008
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION No Cost Amendment		06/04/2008
			PAYMENT METHOD: ASAP		ACH# 60656
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			PAYEE: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: (918) 542-1853		EPA PROJECT OFFICER Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		EPA GRANT SPECIALIST Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program - Tar Creek Management Assistance The purpose of this amendment is to change the budget/project period to July 31, 2008.					
BUDGET PERIOD 10/01/2004 - 07/31/2008		PROJECT PERIOD 10/01/2004 - 07/31/2008		TOTAL BUDGET PERIOD COST \$1,004,975.00	
				TOTAL PROJECT PERIOD COST \$1,004,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 08/23/2007 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,004,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			ORGANIZATION / ADDRESS U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist					DATE 06/04/2008

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,004,975	\$	\$ 1,004,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,004,975	\$ 0	\$ 1,004,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page: Quapaw Tribe Management Assistance

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	<b>\$240,224</b>
<b>2. Fringe Benefits</b>	<b>\$75,175</b>
<b>3. Travel</b>	<b>\$23,662</b>
<b>4. Equipment</b>	<b>\$16,600</b>
<b>5. Supplies</b>	<b>\$55,100</b>
<b>6. Contractual</b>	<b>\$442,227</b>
<b>7. Construction</b>	<b>\$0</b>
<b>8. Other</b>	<b>\$14,333</b>
<b>9. Total Direct Charges</b>	<b>\$867,321</b>
<b>10. Indirect Costs: % Base</b>	<b>\$137,654</b>
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	<b>\$1,004,975</b>
<b>12. Total Approved Assistance Amount</b>	<b>\$1,004,975</b>
<b>13. Program Income</b>	<b>\$0</b>
<b>14. Total EPA Amount Awarded This Action</b>	<b>\$0</b>
<b>15. Total EPA Amount Awarded To Date</b>	<b>\$1,004,975</b>

### **Administrative Conditions**

41. EPA's financial obligations to the recipient are limited by the amount of federal funding awarded to date as shown on line 15 in its EPA approved budget. If the recipient incurs costs in anticipation of receiving additional funds from EPA, it does so at its own risk.

42. Recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." Recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at [www.epls.gov](http://www.epls.gov). This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

43. To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, as amended, the following provisions apply to this award:

a. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity: (1) is determined to have violated an applicable prohibition in the Prohibition Statement below; or (2) has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in the Prohibition Statement below through conduct that is either: (a) associated with performance under this award; or (b) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 1532. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in the Prohibition Statement below.

b. Our right to terminate unilaterally that is described in paragraph a of this award term: (1) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and (2) is in addition to all other remedies for noncompliance that are available to us under this award.

c. You must include the requirements of the Prohibition Statement below in any subaward you make to a private entity.

**Prohibition Statement** - You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or subawards under the award.

44. Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit a final Financial Status Report - also called the SF269 - to EPA's Las Vegas Finance Center (LVFC), within ninety (90) days after the expiration of the budget period end date. Completed SF269s must be faxed to 702-798-2423 or mailed to the following address: USEPA LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515. The LVFC will make adjustments, as necessary, to

obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

45. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: 7		09/11/2007
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION Revision: Scope & Increase		09/18/2007
PAYMENT METHOD: ASAP			ACH# 60656		
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:  Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			PAYEE:  Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER  Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: (918) 542-1853		EPA PROJECT OFFICER  Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		EPA GRANT SPECIALIST  Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program - Tar Creek Management Assistance This amendment increases Federal funding by the amount of \$142,000, which brings the total Federal funding to \$1,004,975.					
BUDGET PERIOD 10/01/2004 - 05/31/2008		PROJECT PERIOD 10/01/2004 - 05/31/2008		TOTAL BUDGET PERIOD COST \$1,004,975.00	
				TOTAL PROJECT PERIOD COST \$1,004,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 08/23/2007 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$142,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,004,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS  Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			ORGANIZATION / ADDRESS  U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Hattie Brown - Grants Management Officer					DATE 09/11/2007



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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 862,975	\$ 142,000	\$ 1,004,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 862,975	\$ 142,000	\$ 1,004,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O


Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
QUAPAW	076APLG025	07	TCD	6A00P	302DD2E	4185	06WQMA00	C001	142,000
									142,000

**Administrative Conditions**

40. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

**Programmatic Conditions**

39. Program narrative status reports are to be submitted to the Region 6 PO quarterly and submitted no later than 30 days after the end of each federal quarter. Financial reports are to be submitted to the Region 6 PO quarterly and submitted no later than 30 days after the end of each federal quarter, with an annual interium FSR to be submitted to the Las Vegas Finance Center and to the Regional PO. Financial and project management/execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the Scope of Work involves a jointly supported, strong, ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution and escalation of problems to top level managers.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Cooperative Agreement</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: 6		07/19/2007
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION		07/26/2007
			Revision: Scope & Increase		
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:			PAYEE:		
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: 918-542-1853 x229		Kathy Gibson Superfund Division, 6SF-VC  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program This amendment increases Federal funding by the amount of \$150,000, which brings the total Federal funding to \$862,975.					
BUDGET PERIOD 10/01/2004 - 05/31/2008		PROJECT PERIOD 10/01/2004 - 05/31/2008		TOTAL BUDGET PERIOD COST \$862,975.00	
				TOTAL PROJECT PERIOD COST \$862,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 05/19/2007 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$150,000. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$862,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Brenda Durden - Chief, Procurement and Grants Section					DATE 07/19/2007

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 712,975	\$ 150,000	\$ 862,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 712,975	\$ 150,000	\$ 862,975

<b>Assistance Program (CFDA)</b>	<b>Statutory Authority</b>	<b>Regulatory Authority</b>
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
TAR CREEK	076APLG009	07	T	6A00P	302DD2E	4185	06JWMA00	C004	150,000
									150,000

## Budget Summary Page: OU-4 Management Assistance

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	<b>\$193,433</b>
<b>2. Fringe Benefits</b>	<b>\$66,624</b>
<b>3. Travel</b>	<b>\$19,156</b>
<b>4. Equipment</b>	<b>\$16,600</b>
<b>5. Supplies</b>	<b>\$50,432</b>
<b>6. Contractual</b>	<b>\$389,315</b>
<b>7. Construction</b>	<b>\$0</b>
<b>8. Other</b>	<b>\$11,250</b>
<b>9. Total Direct Charges</b>	<b>\$746,810</b>
<b>10. Indirect Costs: % Base</b>	<b>\$116,165</b>
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	<b>\$862,975</b>
<b>12. Total Approved Assistance Amount</b>	<b>\$150,000</b>
<b>13. Program Income</b>	<b>\$0</b>
<b>14. Total EPA Amount Awarded This Action</b>	<b>\$150,000</b>
<b>15. Total EPA Amount Awarded To Date</b>	<b>\$862,975</b>

### **Administrative Conditions**

33. Payment to consultants. EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2007, the limit is \$557.28 per day and \$69.66 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provided the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j) or 30.27(b).

34. Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

35. In accordance with EPA Order 1000.25 and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. Please note that Section 901 of E.O. 13101, dated September 14, 1998, revoked E.O. 12873, *Federal Acquisition, Recycling, and Waste Prevention* in its entirety.

Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

36. Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit a final Financial Status Report - also called the SF269 - to EPA's Las Vegas Finance Center (LVFC), within ninety (90) days after the expiration of the budget period end date. Completed SF269s must be faxed to 702-798-2423 or mailed to the following address: USEPA LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515. The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.


37. The recipient agrees to:

- (1) Establish all subaward agreements in writing;
- (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
- (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
- (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;

- (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
  - (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;
  - (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and
  - (8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.
- b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.
- c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.
38. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

### **Programmatic Conditions**

39. Program Narrative Status Reports are to be submitted to the U.S. EPA, Region 6 Project Officer and are required quarterly. Financial Reports are to be submitted to Region 6 Project Officer quarterly, with an annual interium FSR to be submitted to Las Vegas Finance Center and to Region 6 Project Officer. Project management and execution will be very closely monitored by EPA representatives throughout the assistance agreement's project and budget periods. Effective implementation of the Scope of Work involves a jointly supported, strong, ongoing collaboration between the recipient and EPA. Technical assistance and coordination will be routine. EPA and the recipient will maintain a continuous dialogue for the rapid identification, solution and escalation of problems to top level managers.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	GRANT NUMBER (FAIN): 97683401	DATE OF AWARD
		MODIFICATION NUMBER: 5	04/03/2007
		PROGRAM CODE: V	MAILING DATE
		TYPE OF ACTION	04/03/2007
		No Cost Amendment	
		PAYMENT METHOD: ASAP	ACH# 60656
RECIPIENT TYPE: Indian Tribe		Send Payment Request to: Las Vegas Finance Center	
RECIPIENT:		PAYEE:	
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495		Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363	
PROJECT MANAGER		EPA PROJECT OFFICER	EPA GRANT SPECIALIST
Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: 918-542-1853 x229		Kathy Gibson Superfund Division, 6SF-LT  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196	Belentia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belentia@epamail.epa.gov Phone: 214-665-8390
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program (Tar Creek Management Assistance (MA))  This amendment extends the budget/project periods through 5/31/2007.  Except as provided herein, all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect.			
BUDGET PERIOD 10/01/2004 - 05/31/2007	PROJECT PERIOD 10/01/2004 - 05/31/2007	TOTAL BUDGET PERIOD COST \$712,975.00	TOTAL PROJECT PERIOD COST \$712,975.00
<b>NOTICE OF AWARD</b>			
Based on your Application dated 07/07/2004 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$712,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS		ORGANIZATION / ADDRESS	
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digital signature applied by EPA Award Official Belentia Epps - Grants Specialist			DATE 04/03/2007



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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 712,975	\$ 0	\$ 712,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 712,975	\$ 0	\$ 712,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31-& 35 SUBPT O

[illegible]

Budget Summary Page: Quapaw Tar Creek MA

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	<b>\$147,326</b>
<b>2. Fringe Benefits</b>	<b>\$56,926</b>
<b>3. Travel</b>	<b>\$14,398</b>
<b>4. Equipment</b>	<b>\$16,600</b>
<b>5. Supplies</b>	<b>\$45,500</b>
<b>6. Contractual</b>	<b>\$329,987</b>
<b>7. Construction</b>	<b>\$0</b>
<b>8. Other</b>	<b>\$7,993</b>
<b>9. Total Direct Charges</b>	<b>\$618,730</b>
<b>10. Indirect Costs: % Base</b>	<b>\$94,245</b>
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	<b>\$712,975</b>
<b>12. Total Approved Assistance Amount</b>	<b>\$712,975</b>
<b>13. Program Income</b>	<b>\$0</b>
<b>14. Total EPA Amount Awarded This Action</b>	<b>\$0</b>
<b>15. Total EPA Amount Awarded To Date</b>	<b>\$712,975</b>

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: 4		01/19/2007
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION No Cost Amendment		01/19/2007
RECIPIENT TYPE: Indian Tribe			PAYMENT METHOD: ACH		
RECIPIENT: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			ACH# 60656		
Send Payment Request to: Las Vegas Finance Center			PAYEE: Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: 918-542-1853 x229		Kathy Gibson Superfund Division, 6SF-LT  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program (Tar Creek Management Assistance (MA))  This amendment extends the budget/project periods through 3/31/2007.					
BUDGET PERIOD 10/01/2004 - 03/31/2007		PROJECT PERIOD 10/01/2004 - 03/31/2007		TOTAL BUDGET PERIOD COST \$712,975.00	
				TOTAL PROJECT PERIOD COST \$712,975.00	
<b>NOTICE OF AWARD</b>  Based on your Application dated 07/07/2004 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$712,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist					DATE 01/19/2007

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 712,975	\$	\$ 712,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 712,975	\$ 0	\$ 712,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page: Quapaw Tar Creek MA

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$147,326
<b>2. Fringe Benefits</b>	\$56,926
<b>3. Travel</b>	\$14,398
<b>4. Equipment</b>	\$16,600
<b>5. Supplies</b>	\$45,500
<b>6. Contractual</b>	\$329,987
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$7,993
<b>9. Total Direct Charges</b>	\$618,730
<b>10. Indirect Costs: % Base</b>	\$94,245
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	\$712,975
<b>12. Total Approved Assistance Amount</b>	\$712,975
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$0
<b>15. Total EPA Amount Awarded To Date</b>	\$712,975

### **Administrative Conditions**

30. The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at [http://www.access.gpo.gov/nara/cfr/waisidx\\_06/40cfr36\\_06.html](http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html).

31. Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit a final Financial Status Report - also called the SF269 - to EPA's Las Vegas Finance Center (LVFC), within ninety (90) days after the expiration of the budget period end date. Completed SF269s must be faxed to 702-798-2423 or mailed to the following address: USEPA LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515. The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

32. EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: 3		09/06/2006
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION No Cost Amendment		09/06/2006
PAYMENT METHOD: ACH			ACH# 60656		
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:  Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			PAYEE:  Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER  Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: 918-542-1853 x229		EPA PROJECT OFFICER  Kathy Gibson Superfund Division, 6SF-LT  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		EPA GRANT SPECIALIST  Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program (Tar Creek Management Assistance (MA))  This amendment extends the budget/project periods through 12/31/2006.  Except as provided herein, all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect.					
BUDGET PERIOD 10/01/2004 - 12/31/2006		PROJECT PERIOD 10/01/2004 - 12/31/2006		TOTAL BUDGET PERIOD COST \$712,975.00	
				TOTAL PROJECT PERIOD COST \$712,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 07/07/2004 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$712,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS  Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			ORGANIZATION / ADDRESS  U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Belenthia Epps - Grants Specialist					DATE 09/06/2006

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 712,975	\$	\$ 712,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 712,975	\$ 0	\$ 712,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]



## Budget Summary Page: Quapaw Tar Creek MA

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$147,326
2. Fringe Benefits	\$56,926
3. Travel	\$14,398
4. Equipment	\$16,600
5. Supplies	\$45,500
6. Contractual	\$329,987
7. Construction	\$0
8. Other	\$7,993
9. Total Direct Charges	\$618,730
10. Indirect Costs: % Base	\$94,245
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$712,975
12. Total Approved Assistance Amount	\$712,975
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$712,975

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>		GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
			MODIFICATION NUMBER: 2		05/26/2006
			PROGRAM CODE: V		MAILING DATE
			TYPE OF ACTION Augmentation: Increase		06/02/2006
PAYMENT METHOD: ASAP			ACH# 60656		
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:			PAYEE:		
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495			Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: 918-542-1853 x229		Kathy Gibson Superfund Division, 6SF-LT  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390	
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program (Tar Creek Management Assistance (MA)) Activities conducted by the recipient to ensure its meaningful and substantial involvement. These activities include RI field activities with oversight, reviewing and commenting on technical reports, attending technical and public meetings, and ensuring that remedial activities are completed in accordance with ARARS. Activities are listed as remedial investigations (RI) feasibility studies (FS), human health and ecological risk assessments (HERA), records of decision (ROD), remedial design (RD), five year reviews and NPL deletion. These activities are to remediate hazardous waste sites and restore land for safe and productive use, as is stated in the EPA Strategic Plan objective 3.2.2  This amendment increases Federal funding by the amount of \$175,000, bringing total Federal funding to \$712,975.					
BUDGET PERIOD 10/01/2004 - 09/30/2006		PROJECT PERIOD 10/01/2004 - 09/30/2006		TOTAL BUDGET PERIOD COST \$712,975.00	
				TOTAL PROJECT PERIOD COST \$712,975.00	
<b>NOTICE OF AWARD</b>					
Based on your Application dated 07/07/2004 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$175,000. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$712,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			U.S. EPA, Region 6 Superfund Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>					
Digital signature applied by EPA Award Official Samuel Coleman, P.E. - Director, Superfund Division					DATE 05/26/2006

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 537,975	\$ 175,000	\$ 712,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 537,975	\$ 175,000	\$ 712,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

[illegible]

## Budget Summary Page: Quapaw Tar Creek MA

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$147,326
2. Fringe Benefits	\$56,926
3. Travel	\$14,398
4. Equipment	\$16,600
5. Supplies	\$45,500
6. Contractual	\$329,987
7. Construction	\$0
8. Other	\$7,993
9. Total Direct Charges	\$618,730
10. Indirect Costs: % Base	\$94,245
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$712,975
12. Total Approved Assistance Amount	\$712,975
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$
15. Total EPA Amount Awarded To Date	\$

**Administrative Conditions**

EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
		MODIFICATION NUMBER: 1		09/23/2005
		PROGRAM CODE: V		MAILING DATE
		TYPE OF ACTION Augmentation: Increase		09/30/2005
PAYMENT METHOD: ASAP		ACH# 60656		
RECIPIENT TYPE: Indian Tribe		Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:		PAYEE:		
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495		Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST
Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: 918-542-1853 x229		Kathy Gibson Superfund Division, 6SF-LT E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> Superfund Program (Tar Creek Management Assistance (MA)) Management Assistance activities are those activities conducted by the recipient to ensure its meaningful and substantial involvement. These activities include field activities with oversight, reviewing and commenting on technical reports, attending technical and public meetings, and ensuring that remedial activities are completed in accordance with requirements. The Tribe will review documents generated by the Responsible Parties working on the Tar Creek Superfund Site Operable Unit (OU) 04 with the assistance of a consultant, travel and attend significant meetings and review OU2 documents when necessary and also attend significant OU2 meetings on occasion.  This amendment increases Federal funding by the amount of \$216,825, bringing total Federal funding to \$537,975.				
BUDGET PERIOD 10/01/2004 - 09/30/2006	PROJECT PERIOD 10/01/2004 - 09/30/2006	TOTAL BUDGET PERIOD COST \$537,975.00	TOTAL PROJECT PERIOD COST \$537,975.00	
<b>NOTICE OF AWARD</b>				
Based on your Application dated 07/07/2004 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$216,825. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$537,975. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS		ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		U.S. EPA, Region 6 Superfund Division (6SF) 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>				
Digital signature applied by EPA Award Official Samuel Coleman - Director, Superfund Division				DATE 09/23/2005

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 321,150	\$ 216,825	\$ 537,975
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 321,150	\$ 216,825	\$ 537,975

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
OU-4 TAR	PLG013	2005	TCD	6A00P	302DD2E	4185	06JWMA00	C004	216,825
									216,825


## Budget Summary Page: Tar Creek MA

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	\$107,021
<b>2. Fringe Benefits</b>	\$32,106
<b>3. Travel</b>	\$14,398
<b>4. Equipment</b>	\$0
<b>5. Supplies</b>	\$6,500
<b>6. Contractual</b>	\$230,905
<b>7. Construction</b>	\$0
<b>8. Other</b>	\$88,235
<b>9. Total Direct Charges</b>	\$479,165
<b>10. Indirect Costs: % Base</b>	\$58,810
<b>11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)</b>	\$537,975
<b>12. Total Approved Assistance Amount</b>	\$537,975
<b>13. Program Income</b>	\$0
<b>14. Total EPA Amount Awarded This Action</b>	\$
<b>15. Total EPA Amount Awarded To Date</b>	\$



**Administrative Conditions**

EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE BASIC ASSISTANCE AGREEMENT, INCLUDING PRIOR AMENDMENTS, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Cooperative Agreement</b>	GRANT NUMBER (FAIN): 97683401		DATE OF AWARD
		MODIFICATION NUMBER: 0		09/28/2004
		PROGRAM CODE: V		MAILING DATE
		TYPE OF ACTION		10/05/2004
		PAYMENT METHOD: ASAP		ACH# 0656
RECIPIENT TYPE: Indian Tribe		Send Payment Request to: Las Vegas Finance Center		
RECIPIENT:		PAYEE:		
Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363 EIN: 73-0946495		Quapaw Tribe of Oklahoma P.O. Box 765 Quapaw, OK 74363		
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST
Tim Kent P.O. Box 765 Quapaw, OK 74363 E-Mail: tkent@quapawtribe.com Phone: 918-542-1853 x229		Kathy Gibson Superfund Division, 6SF-LT  E-Mail: Gibson.Kathy@epamail.epa.gov Phone: 214-665-7196		Belenthia Epps Procurement and Grants Section, 6MD-RX E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390
PROJECT TITLE AND DESCRIPTION Superfund - Tar Creek				
The Tribe will review documents generated by the Responsible Parties working on Tar Creek Superfund Site Operable Unit (OU) 4 with the assistance of a consultant, travel and attend significant meetings and review OU2 documents when necessary and attend meetings that are significant to OU2 on occasion.				
BUDGET PERIOD 10/01/2004 - 05/31/2006	PROJECT PERIOD 10/01/2004 - 05/31/2006	TOTAL BUDGET PERIOD COST \$321,150.00	TOTAL PROJECT PERIOD COST \$321,150.00	
<b>NOTICE OF AWARD</b>				
Based on your Application dated 07/07/2004 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$321,150. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$321,150. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS		ORGANIZATION / ADDRESS		
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		U.S. EPA, Region 6 Superfund Division (6SF) 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
Digital signature applied by EPA Award Official Samuel Coleman - Director, Superfund Division				DATE 09/28/2004

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 321,150	\$ 321,150
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 321,150	\$ 321,150

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Superfund State Political Subdivision and Indian Tribe Site Specific Cooperative Agreements	CERCLA: Sec. 104(d)(1)	40 CFR PTS 31 & 35 SUBPT O

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
OU4 - TAR	SGR019	04	TCD	6AS0P	302DD2E	4185	06JWMA00	C004	278,927
OU2 -TAR	SGR020	04	T	6AS0P	302DD2E	4185	06BEMA00	C003	42,223
									321,150

## Budget Summary Page: Tar Creek MA

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$107,021
2. Fringe Benefits	\$32,106
3. Travel	\$14,398
4. Equipment	\$0
5. Supplies	\$6,500
6. Contractual	\$14,080
7. Construction	\$0
8. Other	\$88,235
9. Total Direct Charges	\$262,340
10. Indirect Costs: <u>32.54%</u> Base <u>180731</u>	\$58,810
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$321,150
12. Total Approved Assistance Amount	\$321,150
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$
15. Total EPA Amount Awarded To Date	\$

### **Administrative Conditions**

This Assistance Agreement is awarded in accordance with the **Federal Grants and Cooperative Agreement Act of 1977**. Areas of substantial EPA involvement, beyond the normal exercise of performance evaluation and program review, have been detailed in specific output objectives which resulted from negotiation between EPA and the recipient. These areas are included in the application for this award and have become a part of this Agreement.

1. The recipient covenants and agrees that it will expeditiously initiate and timely complete the project work for which assistance has been awarded under this Agreement, in accordance with all applicable provisions of **40 CFR Chapter 1, Subchapter B**. The recipient warrants, represents, and agrees that it and all its contractors, employees and representatives, will comply with all APPLICABLE provisions of **40 CFR Chapter 1, Subchapter B, INCLUDING BUT NOT LIMITED TO** the provisions of **40 CFR, Parts 30, 31, 32, 34, and 35, Subpart O**. This award may be reduced or terminated at such time the recipient fails to comply with the program objectives, grant award conditions, or Federal reporting requirements.
2. Recipient standards of administration, property management, procurement and financial management, as well as records and facilities of recipients, their contractors and subcontractors are subject to audit and inspection by the Comptroller General of the United States and the U.S. Environmental Protection Agency in accordance with Office of Management and Budget (OMB) Circulars A-87, A-102, A-110, A-128, and 40 CFR, Part 35.

The recipient's standards governing procurement will be in accordance with 40 CFR, Part 35, Subpart O and OMB Circular A-102. The recipient shall submit Procurement Reports required by 40 CFR Section 35.6665. The recipient shall maintain a financial management system which meets the requirements of 40 CFR, Section 35.6270.

3. In accordance with OMB Circular A-87, the recipient agrees that it will not use project funds, including the Federal and non-Federal share, to engage in lobbying the Federal Government or in litigation against the United States. The recipient also agrees to provide the information mandated by EPA's annual appropriations acts for fiscal year 2000, 2001, and fiscal year 2002 (PL 106-74, Section 426, PL 106-377, Section 424 and PL 107-73, Section 424 respectively) which requires as follows: "A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law." The recipient may satisfy this certification requirement in any reasonable manner. The certification must be submitted to EPA after all grant funds have been expended.
4. In accordance with the requirements contained in Section 6002 of the Resources Conservation and Recovery Act (RCRA), 42 USC 6962, the recipient is required to purchase items containing recovered materials. These requirements apply when the

recipient purchases more than \$10,000 each Fiscal Year of any item covered by the following procurement guidelines including: paper and paper products (40 CFR Part 250); lubricating oil containing re-refined oil (40 CFR Part 252); retread tires (40 CFR Part 253); building insulation products (40 CFR Part 248) and cement and concrete containing fly ash (40 CFR Part 249). EPA publication PROCUREMENT GUIDELINES FOR GOVERNMENT AGENCIES dated December, 1990 (EPA/530-SW-91-011) provides specific recommendations for the implementation of these requirements.

5. Pursuant to EPA Order 1000.25, dated January 24, 1990, the recipient agrees to use recycled paper for all reports which are prepared as a part of this Agreement and delivered to EPA. This requirement does not apply to Standards Forms which are printed on recycled paper when available through the General Services Administration.
6. All reports, except financial and MBE/WBE, necessary for compliance with any condition or requirement of this award must be submitted to the attention of the EPA Project Officer.
7. In accordance with **40 CFR, Section 31.41**, the recipient shall submit in a **quarterly Financial Status Report (FSR), Standard Form 269 or 269A**, to:  
Grants Team (6MD-RX)  
U. S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

A **final Financial Status Report (FSR)** is due on or before 90 days after the end of each phase (i.e. Remedial Investigation/Feasibility Study, Remedial Design and Remedial Action) and after the end of the budget period. In accordance with Agency policy, all project expenditures reported by the recipient shall be deemed to include both the Federal and recipient share of the expenditures. A listing of equipment or property purchased under this project but no longer needed for the project must be included with the final FSR. Disposition of equipment and supplies will be in accordance with 40 CFR Sections 30.34, 30.532, 31.32, 31.33, and 35.6340, as applicable, depending on date of purchase. **The final Financial Status Report (FSR) shall be submitted to:**

**U.S. Environmental Protection Agency  
Las Vegas Finance Center  
P.O. Box 98515  
Las Vegas, Nevada 89193-8515 (All FSRs (quarterly and final)  
must identify the site and phase.)**

8. The recipient shall organize and maintain site-specific information on activities and costs where Superfund monies are used. Prior to making expenditures of Superfund monies for corrective and enforcement actions, a system must be in place to record these types of costs on a site-specific basis by phase and operable unit. All other costs that can be identified to a particular site should be charged accordingly. State contractors must bill

costs on a site-specific basis, including corrective action costs, enforcement costs, and, to the extent possible, management costs. (Funding for the Core project is for program management of Superfund activities and costs will be non-site specific. However, the general management of Superfund Program activities includes assurances that site-specific cost information is maintained.) Record requirements are found at 40 CFR Section 35.6700 through Section 35.6710.

9. The recipient shall maintain supporting documentation and appropriate records in support of any future cost recovery efforts. The State shall adhere to the principles of documentation and records retention described in the manual, State Participation in the Superfund Program, OSWER Directive 9375.1-4u, "Costs Documentation Requirements for Superfund Cooperative Agreements." The State shall make these records available to the Federal Government, as needed, on a case-by-case basis.
10. The recipient shall submit a Quality Assurance Project Plan (QAPP) for each National Priority List Superfund Site for the RI/FOIST, RD and RA phases, prior to any environmental measures, to the EPA State Coordinator for review, evaluation and approval.
11. The recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds, complies with the Hotel and Motel Fire Safety Act of 1990.
12. Under the Paperwork Reduction Act of 1980, Office of Management and Budget (OMB) clearance must be obtained prior to collecting information from 10 or more persons and will use EPA's name while collecting the information under this project. The term "person" means an individual, partnership, association, corporation, business, trust, or legal representative, an organized group of individuals, a State, territorial, or local government or branch thereof, or a political subdivision of a State, territory, or local government or a branch of a political subdivision. The EPA Project Officer is responsible for requesting clearance from OMB.
13. The State shall ensure that public input will be sought in accordance with the approved Community Relations Plan.
14. The Federal share of allowable expenditures chargeable to this assistance project will be financed by the EPA through the U.S. TREASURY AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP) SYSTEM.

The recipient will strictly adhere to the accounting and reporting procedures described in the EPA-ACH Recipient's Manual for the duration of the project. Three conditions should receive special attention:

- a. Cash drawdowns will be made only as actually needed for disbursements.

- b. The recipient will provide timely reporting of cash disbursements and balances through semi-annual submission (within fifteen (15) days after June 30 and December 31 of each calendar year) of a Federal Cash Transactions Report (SF-272) to:

U.S. Environmental Protection Agency  
Las Vegas Finance Center  
P.O. Box 98515  
Las Vegas, Nevada 89193-8515

- c. The recipient will impose the same standards of timing and reporting on secondary recipients, if any.
15. The recipient will not charge or claim for reimbursement any indirect costs until a current indirect cost proposal has been submitted and received by the Department of Interior (DOI). After DOI has received the indirect cost proposal, indirect costs authorized in this award may be reimbursed in accordance with the lower of either the last approved Negotiated Indirect Cost Rate Agreement (ICA) or the proposed rate until the Department of Interior approves the new indirect cost rate.
16. In accordance with 40 CFR 30.27(b) or 31.36(j)(1), EPA's participation in the salary (excluding overhead) paid to individual consultants is limited to the maximum hourly rate for a level 4 of the Executive Schedule, which is currently approximately \$65.16 per hour or \$521.28 per day(2004).
17. EPA and the recipient agree to comply with the requirements of the Paperwork Reduction Act in completing the project. Because the scope of work includes a survey, a questionnaire or similar information-gathering activity, the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), requires EPA to obtain Office of Management and Budget (OMB) clearance prior to the recipient's collection of information by means of identical questions posed to 10 or more persons. The recipient will provide to the EPA Project Officer the following information: (1) description of the information to be collected; (2) explanation of the need for the information; and (3) to whom the survey is being directed.
18. The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

19. In accordance with EPA Order 1000.25 and Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. Please note that Section 901 of E.O. 13101, dated September 14, 1998, revoked E.O. 12873, *Federal Acquisition, Recycling, and Waste Prevention* in its entirety.

Any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA)



(42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

20. Recipient shall fully comply with Subpart C of 40 CFR Part 32, entitled "Responsibilities of Participants Regarding Transactions." Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 40 CFR Part 32, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information required under 40 CFR 32.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at <http://epls.arnet.gov>. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

21. The recipient will submit an update or revision of the Quality Management Plan annually to the Region Quality Assurance Manager (6MD) for approval, or a certification that the plan is current, and include a copy of the recipient's new approval pages for the QMP.
22. **Sixty days prior to the initiation of any environmental measurements or data generation**, the recipient shall submit to the EPA Project Officer, for review and approval, a written Quality Assurance Project Plan (QAPP) for this grant project. The QAPP shall comply with the guidelines specified in the document entitled "EPA Requirements for Quality Assurance Project Plans for Environmental Data Operations", EPA QA/R5. If any change is required after EPA approval, the recipient must notify the Project Officer **immediately** and request approval for the change **prior to implementation**. At the end of each Federal Fiscal Year, September 30, the grantee shall certify in writing to the EPA Project Officer that the QAPP is current, and include a copy of the recipient's new approval pages for the QAPP.

**Any costs for environmental measurements or data generation incurred prior to approval of the Quality Assurance Project Plan by the EPA Project Officer will be ineligible for reimbursement.**

23. The recipient agrees to follow the six affirmative steps stated in 40 CFR 31.36(e), 35.3145(d) or 35.6580, as appropriate, and to require its prime contractor to follow these affirmative steps if it awards subcontracts; the recipient also agrees to retain records documenting compliance.

The six affirmative steps contained in 40 CFR 31.36(e) are as follows:

- (i) Placing qualifying small and minority businesses and women's business enterprises on solicitation lists;

(ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;

(iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;

(v) using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and

(vi) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed (i-v) above.

The recipient agrees to submit an EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" beginning with the Federal fiscal year quarter the recipient receives the award and continuing until the project is completed. The reports must be submitted to the EPA Regional MBE/WBE Coordinator within 30 days of the end of each Federal fiscal quarter (January 30, April 30, July 30, and October 30).

In accordance with Section 129 of Public Law 100-590, the Small Business Administration and Reauthorization and Amendment Act of 1988, the recipient agrees to utilize and to encourage any prime contractors under the assistance agreement to utilize small businesses located in rural areas to the maximum extent possible through the use of the six affirmative steps.

### **Programmatic Conditions**

24. No equipment may be purchased with this award. Funds are to be in separate budgets and drawn and reflected on a Time and Effort sheet by accounting code for Operable Unit 02 (BE) or Operable Unit 04 (JW).

25. Financial Reports reflecting awarded budget and draws by category will be submitted to EPA quarterly, 30 days after the end of each quarter. Progress Reports in compliance with 40 CFR 35, Subpart O, Section 6650, and Financial Reports reflecting funds drawn for progress will be due by December 30, 2004, April 30, 2005, July 30, 2005, October 30, 2005, December 30, 2005, March 30, 2006 and June 30, 2006.

26. All Quapaw staff planning to work on Tar Creek activities as reflected in the Cooperative Agreement (CA) application must submit a Quarterly Progress Report to the EPA Project Officer, Roberta K. Hirt, 1445 Ross Avenue, Dallas, TX 75202. These reports may be

submitted electronically. Failure to submit these reports to EPA in compliance with 40 CFR 35, Subpart O, may cause EPA to determine the ability for the Tribe to receive further funding by CA.

27. Condition regarding hiring a consultant: The EPA participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractor or subcontractors shall be limited to the maximum daily rate for Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2004, the limit is \$524.72 per day and \$65.16 per hour. The rate does not include overhead or travel costs and the recipient may pay these in accordance with normal travel practices.

Subagreements with firms for services which are awarded using the procurement requirement in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selected direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j)(2) or 30.27(b), as applicable.

EPA updates this term and condition annually based on changes in Level IV of the Executive Schedule maximum pay which can be located at office of Personnel Management ([www.OPM.gov](http://www.OPM.gov)). Procurement under 40 CFR 35, Subpart O must be open and competitive.

28. A progress report outlining work performed by all Quapaw staff in accordance with the Cooperative Agreement (CA) must be submitted quarterly to the EPA Project Officer, Roberta K. Hirt, 1445 Ross Avenue, Dallas, TX 75202. The report may be submitted electronically. Failure to submit the report to EPA in compliance with 40 CFR 35, Subpart O, may cause EPA to reconsider the Tribe's eligibility to receive further funding by CA.

29. This award is being conditioned to disallow drawdown of the indirect cost rate until EPA has received the new approved rate in-house.

<b>Total Federal Funds in Grant:</b>	<b>\$ 321,150</b>
<b>Total Funding Restrictions:</b>	<b>\$ 58,810</b>
<b>Dollars Available for drawdown:</b>	<b>\$ 262,340</b>